

THE HONORABLE BARBARA J. ROTHSTEIN

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KING COUNTY,

Plaintiff,

vs.

EXPRESS SCRIPTS, INC., EXPRESS
SCRIPTS ADMINISTRATORS, LLC,
MEDCO HEALTH SOLUTIONS, INC.,
MERCK-MEDCO, ESI MAIL ORDER
PROCESSING, INC., ESI MAIL PHARMACY
SERVICE, INC., EXPRESS SCRIPTS
PHARMACY, INC., EXPRESS SCRIPTS
SPECIALTY DISTRIBUTION SERVICES,
INC., OPTUMINSIGHT, INC.,
OPTUMINSIGHT LIFE SCIENCES, INC.,
THE LEWIN GROUP, INC., INGENIX
PHARMACEUTICAL SERVICES, INC.,
INGENIX, INC., OPTUMRX, INC., AND
OPTUM, INC.,

Defendants.

Case No. 2:24-cv-00049-BJR

**ORDER GRANTING JOINT MOTION FOR
LEAVE TO FILE OVER-LENGTH
MOTION TO DISMISS AND OPPOSITION
BRIEFS**

This matter came before the Court on Plaintiff King County and Defendants Express Scripts, Inc.; Express Scripts Administrators, LLC; Medco Health Solutions, Inc.; ESI Mail Order Processing, Inc.; ESI Mail Pharmacy Service, Inc.; Express Scripts Pharmacy, Inc.; Express Scripts Specialty Distribution Services, Inc.; OptumRx, Inc.; Optum, Inc.; OptumInsight, Inc.; OptumInsight Life Sciences, Inc.; and The Lewin Group, Inc.'s Joint Motion for Leave to File Over-Length Motion to Dismiss and Opposition Briefs. After due consideration, the Court rules as follows:

(1) The motion is GRANTED.

(2) Moving defendants are granted an additional 5 pages for their 12(b)(6) motion to dismiss for failure to state a claim, with the total number of pages not to exceed 20 pages.

(3) Optum, Inc., OptumInsight, Inc., OptumInsight Life Sciences, Inc., and the Lewin Group, Inc. are granted an additional 5 pages for their 12(b)(2) motion to dismiss for lack of personal jurisdiction, with the total number of pages not to exceed 20 pages.

(4) Plaintiff is granted an additional 5 pages for its opposition briefs, with the total number of pages not to exceed 20 pages.

IT IS SO ORDERED.

Dated this 3rd day of June, 2024.



Barbara Jacobs Rothstein
U.S. District Court Judge

Presented by:

<p>KELLER ROHRBACK L.L.P.</p> <p>By <u>/s/ Derek Loeser</u> Derek W. Loeser, WSBA #24274 David J. Ko, WSBA #38299 Alison S. Gaffney, WSBA #45565 Matthew Gerend, WSBA #43276 Matthew Melamed, <i>admitted pro hac vice</i> Andrew Lindsay, WSBA #60386 1201 Third Avenue, Suite 3200 Seattle, WA 98101 Phone: (206) 623-1900 Fax: (206) 623-3384</p> <p><i>Attorneys for Plaintiff King County</i></p>	<p>QUINN EMANUEL URQUHART & SULLIVAN, LLP</p> <p><u>/s/ Alicia Cobb</u> Alicia Cobb, WSBA #48685 1109 First Avenue, Suite 210 Seattle, Washington 98101 Phone (206) 905-7000 Fax (206) 905-7100 aliciacobb@quinnemanuel.com</p> <p><i>Attorneys for Defendants Express Scripts, Inc., Express Scripts Administrators, LLC, Medco Health Solutions, Inc., ESI Mail Order Processing, Inc, ESI Mail Pharmacy Service, Inc., Express Scripts Pharmacy, Inc., Express Scripts Specialty Distribution Services, Inc.</i></p>
	<p>MCDUGALD LAW GROUP P.S.</p> <p><u>/s/ Shannon McDougald</u> Shannon L. McDougald, WSBA #24231 7900 SE 28th Street, Suite 500 Mercer Island, WA 98004 T: 425-455-2060 F: 425-455-2070 smcdougald@mcdougaldlaw.com</p> <p><i>Attorneys for Defendant OptumInsight, Inc., OptumInsight Life Sciences, Inc., The Lewin Group, Inc., OptumRx, Inc., and Optum, Inc.</i></p>